

Baker, Bullock, Kepple, Litten,
O'Malley, Rader, Shachner

RESOLUTION NO. 2022-10

A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect at the earliest period allowed by law approving a petition for the creation of a shoreline special improvement district and for the levy of special assessments for shoreline improvement projects.

WHEREAS, pursuant to Revised Code Chapter 1710 (the Act), property owners are authorized to include their properties within a special improvement district (the District) by submitting a petition to a municipal corporation in order to undertake shoreline improvement projects for their properties and to finance such shoreline improvement projects through voluntary special assessments; and

WHEREAS, owners of certain real property located within the City have submitted to the Mayor and to this Council a Petition for Creation of Shoreline Special Improvement District for Shoreline Improvement Projects (the Petition), together with the Lakewood Shoreline Special Improvement District Program Plan (the Plan) and the form of Articles of Incorporation of the Shoreline Special Improvement District, Inc. (the Articles of Incorporation); and

WHEREAS, this Council is required to approve or disapprove the Petition within 60 days of the submission of the Petition pursuant to the Act; and

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the powers of local self-government and to enact laws that are for the health, safety, welfare, comfort and peace of the citizens of the municipality; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this resolution is an emergency measure and that it shall take effect immediately after it is approved by the Mayor, and that it is necessary for the immediate preservation of the public property, health, and safety and to provide for the usual daily operation of municipal departments, in that it is urgently necessary to create the shoreline special improvement district at the earliest possible date in order to undertake shoreline improvement projects to address shoreline erosion issues posing an imminent threat to the properties along the shoreline of Lake Erie; now, therefore,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Lakewood, County of Cuyahoga, Ohio:

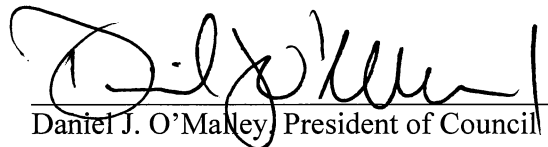
Section 1. This Council approves the Petition, the Plan, and the Articles of Incorporation substantially in the form on file with the Clerk of Council.

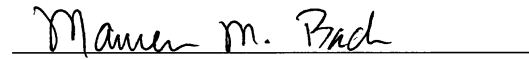
Section 2. This Council hereby approves and consents to the addition of real property to the territory of the District and any amendment to the Articles of Incorporation necessary to recognize or effect such addition, all as set forth in the Plan.

Section 3. It is found and determined that all formal actions of this Council relating to the adoption of this resolution were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such actions were conducted in meetings open to the public in compliance with the law.

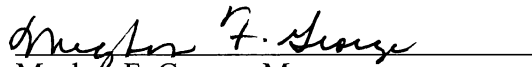
Section 4. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this resolution, and provided it receives the affirmative vote of at least two thirds of the members of Council, this resolution shall take effect and be in force immediately upon its approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted 4/4/2022


Daniel J. O'Malley, President of Council


Maureen M. Bach, Clerk of Council

Approved 4/6/22


Meghan F. George, Mayor